

plants transformed with said DNA construct and wherein said trait DNA molecule and said silencer DNA molecule are heterologous to plants;

a single promoter sequence which effects transcription of both the trait DNA molecule and the silencer DNA molecule; and

a single termination sequence which ends transcription of both the trait DNA molecule and the silencer DNA molecule.

2. (Amended) The DNA construct according to claim 1, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which has a length that is insufficient to impart that different trait to plants transformed with that different trait DNA molecule.

3. (Amended) The DNA construct according to claim 2, wherein at least one of the different trait DNA molecules is a viral cDNA molecule and the trait is viral disease resistance.

4. (Amended) The DNA construct according to claim 3, wherein said viral cDNA molecule is selected from the group consisting of a DNA molecule encoding a coat protein, a DNA molecule encoding a replicase, a DNA molecule not encoding a protein, a DNA molecule encoding a viral gene product, and combinations thereof.

5. (Amended) The DNA construct according to claim 3, wherein said viral cDNA molecule is from a plant virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, papaya ringspot virus, tomato mottle virus, and tomato yellow leaf curl virus.

9. (Amended) The DNA construct according to claim 2, wherein said silencer DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish green fluorescence protein encoding DNA molecule, a viral gene silencer, and combinations thereof.

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10. (Amended) The DNA construct according to claim 1, wherein the trait DNA molecule is a viral cDNA molecule and the trait is viral disease resistance.

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11. (Amended) The DNA construct according to claim 10, wherein said viral cDNA molecule is selected from the group consisting of a DNA molecule encoding a coat protein, a DNA molecule encoding a replicase, a DNA molecule not encoding a protein, a DNA molecule encoding a viral gene product, and combinations thereof.

12. (Amended) The DNA construct according to claim 10, wherein said viral cDNA molecule is from a plant virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, papaya ringspot virus, tomato mottle virus, and tomato yellow leaf curl virus.

16. (Amended) The DNA construct according to claim 1, wherein the silencer DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish green fluorescence protein encoding DNA molecule, a viral gene silencer, and combinations thereof.

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17. (Amended) The DNA construct according to claim 1, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are translatable.

18. (Amended) The DNA construct according to claim 1, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are non-translatable.

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19. (Twice Amended) The DNA construct according to claim 2, wherein, of the plurality of different trait DNA molecules, at least one of the different trait DNA molecules is long enough to impart the trait.

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20. (Amended) The DNA construct according to claim 1, wherein said construct effects post-transcriptional gene silencing within plants.

24. (Amended) The DNA expression vector according to claim 23, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which has a length that is insufficient to impart the different trait to plants transformed with that different trait DNA molecule.

25. (Amended) The DNA expression vector according to claim 24, wherein at least one of the different trait DNA molecules is a viral cDNA molecule and the trait is viral disease resistance.

28. (Amended) The host cell according to claim 27, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which has a length that is insufficient to impart the different trait to plants transformed that different trait DNA molecule.

29. (Amended) The host cell according to claim 28, wherein said DNA construct is within an expression vector.

30. (Amended) The host cell according to claim 28, wherein said host cell is bacterial.

31. (Amended) The host cell according to claim 28, wherein said host cell is a plant cell.

33. (Amended) The transgenic plant according to claim 32, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which has a length that is insufficient to impart the different trait to plants transformed with that different trait DNA molecule.

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34. (Amended) The transgenic plant according to claim 33, wherein at least one of the different trait DNA molecules is a viral cDNA molecule and the trait is viral disease resistance.

35. (Amended) The transgenic plant according to claim 34, wherein said viral cDNA molecule is selected from the group consisting of a DNA molecule encoding a coat protein, a DNA molecule encoding a replicase, a DNA molecule not encoding a protein, a DNA molecule encoding a viral gene product, and combinations thereof.

36. (Amended) The transgenic plant according to claim 34, wherein said plant viral cDNA molecule is from a virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, papaya ringspot virus, tomato mottle virus, and tomato yellow leaf curl virus.

40. (Amended) The transgenic plant according to claim 33, wherein the silencer DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish green fluorescence protein encoding DNA molecule, a viral gene silencer, and combinations thereof.

41. (Amended) The transgenic plant according to claim 33, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are translatable.

42. (Amended) The transgenic plant according to claim 33, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are non-translatable.

43. (Amended) The transgenic plant according to claim 33, wherein the plant is selected from the group consisting of alfalfa, rice, wheat, barley, rye, cotton, sunflower, peanut, corn, potato, sweet potato, bean, pea, chicory, lettuce, endive, cabbage, brussel sprout, beet, parsnip, turnip, cauliflower, broccoli, radish, spinach, onion, garlic,

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eggplant, pepper, celery, carrot, squash, pumpkin, zucchini, cucumber, apple, pear, melon, citrus, strawberry, grape, raspberry, pineapple, soybean, tobacco, tomato, sorghum, papaya, sugarcane, *Arabidopsis thaliana*, *Saintpaulia*, petunia, pelargonium, poinsettia, chrysanthemum, carnation, and zinnia.

46. (Amended) A method of imparting a trait to a plant comprising:
transforming a plant with a DNA construct according to claim 1 under
conditions effective to impart a trait to the plant.

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47. (Amended) The method according to claim 46, wherein said DNA
construct comprises a plurality of different trait DNA molecules, at least one of which have a
length that is insufficient to impart the different trait to plants transformed with that different
trait DNA molecule.

48. (Amended) The method according to claim 47, wherein at least one
of the different trait DNA molecules is a plant viral cDNA molecule and the trait is viral
disease resistance.

49. (Amended) The method according to claim 48, wherein said viral
cDNA molecule is selected from the group consisting of a DNA molecule encoding a coat
protein, a DNA molecule encoding a replicase, a DNA molecule not encoding a protein, a
DNA molecule encoding a viral gene product, and combinations thereof.

C12
50. (Twice Amended) The method according to claim 48, wherein said
plant viral DNA molecule is from a virus selected from the group consisting of tomato
spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y,
potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, tomato mottle
virus, and tomato yellow leaf curl virus.

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53. (Amended) The method according to claim 47, wherein the silencer
DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish
green fluorescence protein encoding DNA molecule, and combinations thereof.

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54. (Amended) The method according to claim 47, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are translatable.

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55. (Amended) The method according to claim 47, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are non-translatable.

56. (Amended) The method according to claim 47, wherein the plant is selected from the group consisting of alfalfa, rice, wheat, barley, rye, cotton, sunflower, peanut, corn, potato, sweet potato, bean, pea, chicory, lettuce, endive, cabbage, brussel sprout, beet, parsnip, turnip, cauliflower, broccoli, radish, spinach, onion, garlic, eggplant, pepper, celery, carrot, squash, pumpkin, zucchini, cucumber, apple, pear, melon, citrus, strawberry, grape, raspberry, pineapple, soybean, tobacco, tomato, sorghum, papaya, sugarcane, *Arabidopsis thaliana*, *Saintpaulia*, petunia, pelargonium, poinsettia, chrysanthemum, carnation, and zinnia.

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57. (Amended) The method according to claim 47 further comprising: propagating progeny of the transgenic plant.

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59. (Amended) The transgenic plant seed according to claim 58, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which has a length that is insufficient to impart that different trait to plants transformed with that different trait DNA molecule.

60. (Amended) The transgenic plant seed according to claim 59, wherein at least one of the different trait DNA molecules is a viral cDNA molecule and the trait is viral disease resistance.

61. (Amended) The transgenic plant seed according to claim 60, wherein said viral cDNA molecule is selected from the group consisting of a DNA molecule

encoding a coat protein, a DNA molecule encoding a replicase, a DNA molecule that does not encode a protein, a DNA molecule encoding a viral gene product, and combinations thereof.

62. (Twice Amended) The transgenic plant seed according to claim 60, wherein said viral cDNA molecule is from a virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, tomato mottle virus, and tomato yellow leaf curl virus.

66. (Amended) The transgenic plant seed according to claim 59, wherein said silencer DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish green fluorescence protein encoding DNA molecule, and combinations thereof.

67. (Amended) The transgenic plant seed according to claim 60, wherein said viral cDNA molecule and said silencer DNA molecule encode RNA molecules which are translatable.

68. (Amended) The transgenic plant seed according to claim 60, wherein said viral cDNA molecule and said silencer DNA molecule encode RNA molecules which are non-translatable.

69. (Amended) The transgenic plant seed according to claim 59, wherein the plant seed is from a plant selected from the group consisting of alfalfa, rice, wheat, barley, rye, cotton, sunflower, peanut, corn, potato, sweet potato, bean, pea, chicory, lettuce, endive, cabbage, brussel sprout, beet, parsnip, turnip, cauliflower, broccoli, radish, spinach, onion, garlic, eggplant, pepper, celery, carrot, squash, pumpkin, zucchini, cucumber, apple, pear, melon, citrus, strawberry, grape, raspberry, pineapple, soybean, tobacco, tomato, sorghum, papaya, sugarcane, *Arabidopsis thaliana*, *Saintpaulia*, petunia, pelargonium, poinsettia, chrysanthemum, carnation, and zinnia.

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70. (Amended) A method of imparting a trait to plants comprising: planting a transgenic plant seed according to claim 58 and propagating a plant from the planted transgenic plant seed under conditions effective to impart a trait to the plant.

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71. (Amended) The method according to claim 70, wherein said DNA construct comprises a plurality of different trait DNA molecules, at least one of which have a length that is insufficient to impart that different trait to plants transformed with that different trait DNA molecule.

72. (Amended) The method according to claim 71, wherein at least one of the different trait DNA molecules is a viral cDNA molecule and the trait is viral disease resistance.

73. (Amended) The method according to claim 72, wherein said viral cDNA molecule is selected from the group consisting of a DNA molecule encoding a coat protein, a DNA molecule encoding a replicase, a DNA molecule which does not encode a protein, a DNA molecule encoding a viral gene product, and combinations thereof.

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74. (Twice Amended) The method according to claim 72, wherein said viral cDNA molecule is from a virus selected from the group consisting of tomato spotted wilt virus, impatiens necrotic spot virus, groundnut ringspot virus, potato virus Y, potato virus X, tobacco mosaic virus, turnip mosaic virus, tobacco etch virus, tomato mottle virus, and tomato yellow leaf curl virus.

C19

77. (Amended) The method according to claim 71, wherein the silencer DNA molecule is selected from the group consisting of a viral cDNA molecule, a jellyfish green fluorescence protein encoding DNA molecule, and combinations thereof.

78. (Amended) The method according to claim 71, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are translatable.

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79. (Amended) The method according to claim 71, wherein said trait DNA molecule and said silencer DNA molecule encode RNA molecules which are non-translatable.

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80. (Amended) The method according to claim 71, wherein the plant seed is from a plant selected from the group consisting of alfalfa, rice, wheat, barley, rye, cotton, sunflower, peanut, corn, potato, sweet potato, bean, pea, chicory, lettuce, endive, cabbage, brussel sprout, beet, parsnip, turnip, cauliflower, broccoli, radish, spinach, onion, garlic, eggplant, pepper, celery, carrot, squash, pumpkin, zucchini, cucumber, apple, pear, melon, citrus, strawberry, grape, raspberry, pineapple, soybean, tobacco, tomato, sorghum, papaya, sugarcane, *Arabidopsis thaliana*, *Saintpaulia*, petunia, pelargonium, poinsettia, chrysanthemum, carnation, and zinnia.

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81. (Amended) The method according to claim 71 further comprising: propagating progeny of the transgenic plant.

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93. (Amended) The DNA construct according to claim 1, wherein the trait DNA molecule has a length that is greater than 110 nucleotide bases.

94. (Amended) The DNA construct according to claim 1, wherein the trait DNA molecule has a length that is greater than 60 nucleotide bases.